

Telecommunications
E Commerce
Technology
Corporate & Finance
Trademarks
Proprietary Rights
Complex Litigation
General Business Law

The Helein Law Group, P.C.

8180 Greensboro Drive
Suite 700
McLean, VA 22102

(703) 714-1300 (Telephone)
(703) 714-1330 (Facsimile)
mail@thlglaw.com

Management Consulting Group
GTC Consultants, Inc.
(703) 714-1307 (Telephone)

Writer's Direct Dial Number
(703) 714-1300

DOCKET FILE COPY ORIGINAL

RECEIVED

SEP 30 2003

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Writer's E-mail Address

chh@thlglaw.com

September 30, 2003

HAND DELIVERED VIA COURIER

Marlene F. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445-12th Street, S.W.
Room tw-204B
Washington, D.C. 20554

**Re: Notice of Customer Base Transfer and Certification of Compliance
With FCC Rules – CC Docket No. 00-257**

Dear Ms. Dortch

Enclosed are an original and four (4) copies plus two (2) additional public copies of New Century Telecom, Inc., ("New Century") Notice of Proposed Customer Base Transfer and Certification of Compliance with the Federal Communications Commission's ("FCC's") rules prescribed in CC Docket No. 00-257 and set forth in C F R § 64.1120(e)(1).

In compliance with C F R § 64.1120, New Century presents the following.

1. Names of Parties Involved in Transaction:

Acquiring Carrier.

New Century Telecom, Inc.

Transferring Carrier:

Miko Telephone Communications,
Inc.

2. Types of Telecommunications Services Provided:

Long distance and local-long distance

AS

September 30, 2003

Page 2

3. Date of Proposed Transfer:

This summer, New Century and Miko entered into an Asset Purchase Agreement, wherein Miko agreed to sell and New Century agreed to acquire all of Miko's long distance customers. As a result of the transaction, New Century was to become the telecommunications carrier providing long distance services to the transferred Customer Base. In anticipation of the upcoming transfer of the Customer Base, Miko, in accordance with applicable requirements, sent written notice to affected customers of Miko, informing them of the proposed transaction. Sometime thereafter, Miko's underlying carrier, Global Crossing, disconnected service to thousands of Miko customers and left them without long distance service. This was done by Global Crossing in violation state and federal law, as well as in contradiction of the express terms of the parties Carrier Services Agreement. Service remained disconnected for several days.

Global Crossing also serves as New Century underlying carrier. In an effort to provide immediate relief to the Miko customers without service, New Century began serving the Miko customers that had been notified of the upcoming transfer of service. The transition of Miko's long distance customers to New Century was seamless and virtually transparent to the affected Customer Base. Following the Customer Base transfer, New Century has provided, and will continue to provide, the same services, under the same rates, terms and conditions of service as the customers currently receive from Miko. But for the unfortunate circumstances facing Miko customers, this Notice would have been filed prior to the actual transfer. Notwithstanding the fact that this Notice is a bit untimely, the customers were provided with the required notice in compliance with C.F.R. § 64.1120(c)(3).

4. Certification of Compliance with Customer Notice Requirements:

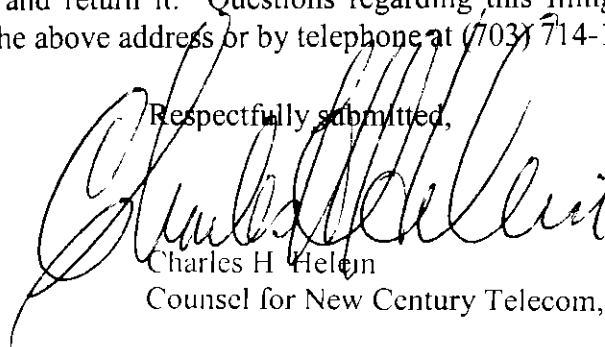
See Attachment A.

5. Copy of Customer Notice:

See Attachment B.

A duplicate original copy of this letter is enclosed, please date stamp this copy as acknowledgement of its receipt and return it. Questions regarding this filing may be directed to Charles H. Helein at the above address or by telephone at (703) 714-1300.

Respectfully submitted,



Charles H. Helein
Counsel for New Century Telecom, Inc.

Enclosures

ATTACHMENT A

Certification of Compliance

CERTIFICATION

State of Virginia)
)
) ss
County of Stafford)

I, Karyn Bartel, hereby declare under penalty of perjury that:

- 1 I am President of New Century Telecom, Inc ("New Century");
- 2 I am authorized to make this declaration on its behalf;
- 3 New Century has and/or will comply with:
 - a. the requirement to provide advance subscriber notice in accordance with C F R. § 64.1120(e)(3),
 - b. the obligations specified in that notice; and
 - c. all statutory and Federal Communications Commission requirements applying to the streamlined procedures promulgated in CC Docket No. 00-257
- 4 The facts stated in the foregoing submission are true and correct to the best of my knowledge, information and belief

By: Karyn Bartel
Karyn Bartel

Sworn and subscribed before me this 24th day of September, 2003

[Signature]
My Commission Expires

7/1/06

ATTACHMENT B

Customer Notice

July 15, 2003

NAME
ADDRESS
ADDRESS
ZIP

Dear NAME

This letter is written to notify that New Century Telecom, Inc. (NCT), a certified carrier is acquiring the customer base of Miko Telephone Communication in your area. Your transition to NCT shall be seamless with no interruption of your long distance service and no change in your current rates or billing format. The transition to NCT shall not occur prior to thirty (30) days from the receipt of this notice. You need to take no action. If you have any questions, you may contact NCT's customer services at 1-800-711-1322.

Your right to the long distance carrier of your choice remains in effect. There will be no charge for the service migration to NCT. Processing of any contacts made in regard to the services provided by your existing carrier will continue to be handled by that carrier until further notice. While there will be no changes affecting your service, should there be a need for such changes in the future, these will be posted on NCT's web site or shall be provided by direct mail. NCT looks forward to serving you and values your business.

Sincerely,

MIKO Telecom
Karen Sanders
Operations Manager